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Eleven Beacon Street Boston, MA 02108			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Shoulding Hu	•	Application No.	Applicant(s)				
### District Provided Fig. Search S	-						
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. The MAILING DATE of THIS COMMUNICATION. If he period for right specified above is less than thinty (10) days, as regly within the statutory minimum of theiry (10) days will be considered timely. If he period for right specified above is less than thinty (10) days, as regly within the statutory minimum of theiry (10) days will be considered timely. If he period for right specified above is less than the communication. If he period for right specified above is less than their (10) days are staticly period will again staticly period will again staticly period will again at the period of the communication. If he period for right specified above is less than the realizing date of this communication, even if timely filed, may reduce any seared patient than guitament. A pricely received by the Office later than these months after the mailing date of this communication, even if timely filed, may reduce any seared patient than guitament. Status 1	Office Action Summary	L					
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under be provisions of 3 CFR 1.13(a). In no event, however, may a reply be simely filed after SIX (8) MONTHS from the mailing date of this communication. Failure to reply within the act or extended period for reply withis the statutory prioritized SIX (8) MONTHS from the mailing date of his communication. Failure to reply used to reply to specification with the mailure period will apply and will expect SIX (6) MONTHS from the mailing date of his communication. Failure to reply will be statutory priority statute, cause the application to become ABANDONED (35 U.S.C.§ 133). Any reply recovered by the Office of the his new individual state the mailing date of the specimental content of the priority statute. Cause the application, even if timely filed, may reduce any surprised patient term adjustment. See 97 CFR 1.794(b). Status 1) Responsive to communication(s) filed on 11/26/01. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-17 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are allowed. 8) Claim(s) 1-17 are subject to restriction and/or election requirement. Application Papers 9) The drawing(s) filed on is/are: all accepted or bl) objected to by the Examiner. Application may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is/are: all accepted or bl) objected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) Alt b) Some c) None of: 1 Certif							
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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
- Claims 1-10 drawn to a semiconductor device, classified in class 257, subclass 347.
- II. Claims 11-17 drawn to a method of making a semiconductor device, classified in class 438, subclass 479.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP '806.05(f)). In the instant case, the product as claimed can be made by another and materially different process, such as forming the semiconductor device by forming the source and drain regions before forming the gate conductive layer, instead of forming the gate conductive layer first and then forming the source and drain regions on the insular silicon region exposed by the gate conductive layer.

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- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, the search required for Group I is not required for Group II, and separated examination would be required, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the response to this requirement, to be complete, must include an election of the invention to be examined even though the requirement may be traversed (37 CFR 1.143).
- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(l).

Conclusion

6. Papers related to this application may be submitted to Technology center (TC) 2800 by facsimile transmission. Papers should be faxed to TC 2800 via the TC 2800 Fax center located in Crystal Plaza 4, room 4-C23. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Group 2811 Fax Center number is (703) 308-7722 or 308-7724. The Group 2811 Fax Center is to be used only for papers related to Group 2811 applications.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Shouxiang Hu* whose telephone number is **(703) 306-5729**. The examiner can normally be reached on Monday through Thursday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Tom Thomas*, can be reached on (703) 308-2772. The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724.

Any inquiry of a general nature or relating to the status of this application should be directed to the **Technology Center Receptionists** whose telephone number is **(703) 308-0956**.

Shouxiang Hu

Shousdareflee

March 5, 2002